



Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated **January 15, 2020** which reads as follows:

“UDK-16508 — VANESSA JOSUE y JOMEL, petitioner, versus PEOPLE OF THE PHILIPPINES and WILFREDO M. BAJAL, respondents.

The petition for review on *certiorari* is not a natural right nor a resort integral to the exercise of due process. On the contrary, it is an extraordinary remedy, the allowance of which is a prerogative of the court and subject to its discretion.¹ It being undemandable as a matter of right, the recourse of *certiorari* requires strict adherence to the provisions of law.

Here, Vanessa Josue y Jomel (petitioner) committed the fatal misstep of failing to attach to the Petition for *Certiorari* (RTC Petition) before the Regional Trial Court of Parañaque City, Branch 196 (RTC), the certified true copies of the following documents: 1) the prosecution’s Formal Offer of Exhibits; 2) the Order dated February 1, 2017 of the Metropolitan Trial Court of Parañaque City, Branch 77 (MeTC) admitting said formal offer; 3) the March 7, 2017 MeTC Order, when petitioner’s counsel prayed for the resetting of her presentation of evidence; 4) the MeTC April 17, 2017 Order which declared petitioner’s right to present evidence waived; and 5) the May 8, 2017 Motion for Reconsideration of petitioner, which sought the reversal of the declaration of waiver of her right to present evidence.²

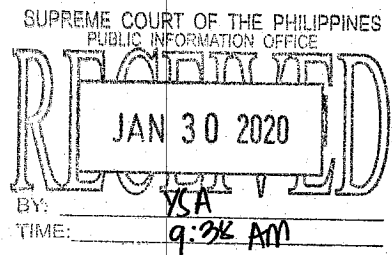
Verily, the requirement of submission of these documents serves a purpose that is foremost in the Court’s resolution of the RTC Petition before it, *i.e.* whether the lower court erred, as may be evidenced by the very documents required for attachment.

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¹ *Batelec II Electric Cooperative, Inc. v. Energy Industry Administration Bureau*, 488 Phil. 470 (2004).

² *Rollo*, pp. 82-83.



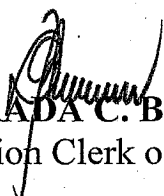
To be sure, the Court has allowed for leniency in the observance of procedural rules, for compelling reasons, and in order to correct or avert clear injustice. Far from the case, however, petitioner here failed to demonstrate any persuasive reason for the said liberality to apply.

For the foregoing reasons, the instant Petition is hereby **DENIED**.

The Metropolitan Trial Court, Branch 77, Parañaque City, and the Court of Appeals are hereby **DROPPED** as party respondents in this case pursuant to Sec. 4, Rule 45, 1997 Rules of Civil Procedure, as amended.

SO ORDERED.”

Very truly yours,


LIBRADA C. BUENA
Division Clerk of Court *m. lbr*
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Public Information Office (x)
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Supreme Court
(For uploading pursuant to A.M.
No. 12-7-1-SC)

The Hon. Presiding Judge
Regional Trial Court, Branch 19
1700 Parañaque City
(Civil Case No. 2017-114)

Judgment Division (x)
Supreme Court

The Hon. Presiding Judge
Metropolitan Trial Court, Branch 77
1700 Parañaque City
(Crim. Case No. 12-0727)

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